

Remarks

After entry of the present Amendment, claims 1-3, 5-10, 12-17, 19-21, and 23-25 are pending in the present Application with claims 1, 8, and 15 in independent form. Claims 1, 3, 8, 10, 15, and 17 are currently amended. Claims 4, 11, 18, and 22 are currently cancelled. Claims 23-25 are currently added. Support for new claims 23-25 is found throughout the application and no new matter is being introduced.

Claims 1-22 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,752,345 to Bright et al. (hereinafter Bright et al.). Claims 1-22 also stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bright et al. in view of U.S. Patent No. 6,079,160 to Bonds (hereinafter Bonds).

As set forth above, independent claims 1, 8, and 15 are currently amended. For the reasons set forth below, the Applicant respectfully asserts that the amendment to independent claims 1, 8, and 15 overcome the rejections under §102(b) and §103(a).

Bright et al. discloses a sealing strip 12 having a metal carrier 22 defining a repeating pattern of slots 30, 32, 34. In other words, the pattern of the slots 30, 32, 34 repeats along the length of the metal carrier 22. As set forth in the Summary of the Invention of Bright et al., the slots 30, 32, 34 allow the metal carrier 22 to bend about multiple axes. Because the pattern of slots 30, 32, 34 repeats along the entire length of the metal carrier 22, the metal carrier 22 bends about these multiple axes at any point along the length of the metal carrier 22.

In contrast, independent claims 1, 8, and 15, as amended, claim a first longitudinally extending region having apertures defining a first repeating pattern and a second longitudinally extending region having transverse slits defining a second repeating pattern *different than* the first repeating pattern. Due to the differences between the first and second repeating patterns, the first longitudinally extending region has a first flexibility and the second longitudinally extending region has a second flexibility distinct from the first flexibility. Specifically, the first longitudinally extending region is relatively rigid and the apertures 34, 64, 74, achieve “intimate bonding between the carrier or core 30 and the molded or extruded elastomeric material 40.” The second longitudinally extending region is relative flexible so that the

weatherstrip assembly 20 can be bent at the second longitudinally extending region to conform to the window opening 16.

Specifically, independent claims 1 and 8 claim that “said first region includes a plurality of apertures being spaced from each other a first distance” and that “said second region includes a plurality of transverse slits being spaced from each other a second distance” to define the first and second repeating patterns. In claim 8, it is further defined that the apertures define a first shape and the slits define a second shape different than the first shape. The Applicant respectfully asserts that Bright et al. fails to disclose these limitations as claimed in independent claims 1 and 8. To the contrary, as set forth above, the slots 30, 32, 34 of Bright et al. form the same repeating pattern along the length of the metal carrier 22. In other words, there is no second shape or second repeating pattern. Further, with respect to the rejection of independent claims 1 and 8 under §103(a), neither Bright et al. nor Bond, alone or in combination, teach, or even suggest, these limitations. Accordingly, the Applicants respectfully assert that independent claims 1 and 8 are novel and non-obvious over Bright et al. and Bond.

Further, independent claim 15 claims that “said first region includes a plurality of apertures with each of said apertures having a first width” and that “said second region includes a plurality of transverse slits with each of said transverse slits having a second width”, which is different than the first width. The Applicant respectfully asserts that Bright et al. fails to disclose these limitations as claimed in independent claim 15. Again, the slots 30, 32, 34 of Bright et al. form the same repeating pattern along the length of the metal carrier 22 with the same widths. In other words, there is no second width. Further, with respect to the rejection of independent claim 15 under §103(a), neither Bright et al. nor Bond, alone or in combination, teach, or even suggest, these limitations. Accordingly, the Applicants respectfully assert that independent claims 1 and 8 are novel and non-obvious over Bright et al. and Bond.

In view of the foregoing, it is respectfully submitted that independent claims 1, 8, and 15, and the claims that depend therefrom, are both novel and non-obvious such that these

claims are in condition for allowance, which allowance is respectfully requested. This Amendment is considered timely with a petition and fee for a one-month extension of time. Although no additional fees are believed to be due, the Commissioner is authorized to charge our Deposit Account No. 08-2789 in the name of Howard & Howard Attorneys PLLC for any fees or credit the account for any overpayment for this matter.

Respectfully submitted,

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